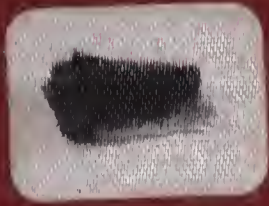


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A Note on the History
of the Jefferson Manuscript Draught of
the Declaration of Independence

IN THE LIBRARY OF
THE AMERICAN PHILOSOPHICAL SOCIETY.

BY I. MINIS HAYS, M.D.,
One of the Secretaries of the Society.

Reprinted July 21, 1898, from Proceedings of the Amer. Philos. Society, Vol. xxxvii.

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A Declaration by the Representatives of the UNITED STATES OF AMERICA in General Congress assembled.

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that ^{and among these} ~~men~~ are endowed by their Creator with inherent and unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence indeed shall declare that governments long established should not be changed for light & transient causes, and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, begun at a distant period & pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, & to provide new guards for their future security. Such has been the patient sufferance of these colonies, & such is now the necessity which constrains them to expunge their former systems of government. The history of the present King of Great Britain, is a history of unremitting injuries and usurpations, among which appears no solitary fact to contradict the uniform tenor of the rest; but all have in direct object the establishment of an absolute tyranny over these states. To prove this let facts be submitted to a candid world, for the truth of which we pledge a faith not unswerving by falsehood

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and positive importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has neglected utterly to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them & formidable to tyrants only.

he has called together legislative bodies at places unusual, uncomfortable & distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

he has dissolved Representative houses repeatedly, & continually, for opposing with manly firmness his invasions on the rights of the people.

he has refused for long time after such dissolutions, to cause others to be elected; and the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the mean time exposed to all the dangers of invasion from without, & convulsions within.

he has endeavored to prevent the population of these states, for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither; & raising the conditions of new appropriations of lands.

he has affected the administration of justice totally to cease in some of these states, refusing his assent to laws for establishing judiciary, & courts.

he has made our judges dependant on his will & one for the tenure of their offices, and the amount & payment of their salaries.

he has enacted a multitude of new offices by a self assumed power & sent hither swarms of officers to harass our people, and eat out their substances.

he has kept among us, in times of peace, standing armies and ships of war without the consent of our legislatures.

he has affected to render the military independent of, & superior to the civil power.

he has endeavored with others to subject us to a jurisdiction foreign to our constitution, & unacknowledged by our laws; giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us;

for protecting them by a mock-trial from punishment for any murders which they should commit on the inhabitants of these states;

for cutting off our trade with all parts of the world;

for imposing taxes on us without our consent;

for depriving us of the benefits of trial by jury;

for establishing an oppressive & arbitrary jurisdiction, & for abolishing the free system of English laws in a neighboring province, establishing there an arbitrary government, and enlarging it's boundaries so as to render it an example & fit instrument for introducing the same abominable into these states;

for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our government.

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for suspending our own legislatures & declaring themselves invested with power to
legislate for us in all cases whatsoever.

he has abdicated government here, withdrawing his governors & declaring us out of his protection and protection, waging war against us

he has plundered our seas, ravaged our coasts, burnt our towns, & destroyed the lives of our people; he has incited foreign mercenaries, to commit the atrocities of desolation & tyranny, already begun with circumstances of cruelty & perfidy unworthy of a civilized nation.

he has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages who
known rule of warfare is an undistinguished destruction of all ages, sexes, & conditions of existence.
he has incited treasonable insurrections of our fellow citizens with the allurements of the
capture & confiscation of our property.

he has constrained others, taken captives on the high seas, to bear arms against their
countrymen, to commit the murders of their brothers, or to fall themselves by their hands.

he has waged cruel war against human nature itself, violating it's most sacred rights of life & liberty in the persons of a distant people, who never offended him, and carrying them into slavery in another hemisphere, or to incur miserable tortures in their transportation thither. this piratical warfare, the opprobrium of
powers, is the warfare of the Christian king of Great Britain. to open a market where MEN should be bought & sold, he has prostituted
for suppressing every legislative attempt to prohibit or to restrain this
trade. inasmuch as of horror might want no fact of distinguished
now exciting those very people to rise in arms among us, and to purchase so that to
liberty of which he has deprived them, by murdering the people upon whom he also ob-
truded them: thus paying off former crimes committed against the liberties of one
people with crimes which he urges them to commit against the lives of another.

In every stage of these oppressions, we have petitioned for redress in the most humble
terms; our repeated petitions have been answered only by repeated injury. a prince
whose character is thus marked by every act which we define a tyrant, is unfit to be

the ruler of a people. in the short compass of twelve years only to build
a foundation, so broad and undisguised, for tyranny over a people fostered and
fixed in principles of freedom.

Indefinite duration of
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A NOTE ON THE HISTORY
OF THE JEFFERSON MANUSCRIPT DRAUGHT OF
THE DECLARATION OF INDEPENDENCE

IN THE LIBRARY OF
THE AMERICAN PHILOSOPHICAL SOCIETY.

BY I. MINIS HAYS, M.D.

(*Read April 1, 1898.*)

As the precise historic relation of the Jefferson manuscript draught of the Declaration of Independence, possessed by this Society, to the document as adopted by the Congress, has been involved in some indefiniteness, it seemed desirable to collect and carefully examine all the information available on the subject.

The draught was acquired by the American Philosophical Society seventy-three years ago and the following entry appears in its Donation Book :

“ 1825, August 19.

“The draught of the Declaration of Independence originally presented to Congress. This venerable document was sent to R. H. Lee (the mover of the resolution of Independence) by Thos. Jefferson (in whose handwriting it appears to be, with the alterations made previous to the adoption by Congress) on the 8th [*sic*] July 1776 & has remained in Mr. Lee's family until the present time when his Grandson, R. H. Lee, gave it to the A. P. Soc'y to be added to the Documents presented on 17 June.¹ It was accompanied by a copy of Mr. Jefferson's letter enclosing it.

“*Donor.* Richd. Henry Lee, grandson of R. H. Lee by hands of G. W. Smith.”

On the margin of the page is written :

“Received from the hands of Richard Henry Lee, Esq., by me and in pursuance of his request presented to the American Philosophical Society.

“GEORGE W. SMITH.”

¹The autograph correspondence of R. H. and A. Lee.

Below the entry of the donation and on the same page, the following certificate is written :

“Having examined the above Draught we certify it to be in the handwriting of Thos. Jefferson.

“Philad. 9 Sep. 1825.

“W. SHORT,

“EDWARD COLES,

“JN. VAUGHAN.”

“Who has been for 40 yrs.

Correspt. of T. J.

The document makes four, closely written pages on two sheets of white foolscap measuring $12\frac{1}{2} \times 7\frac{7}{8}$ inches.

It appears to be a fair copy, originally without interlineations or erasures, of the Declaration as adopted by the Committee. The omissions made by the Congress sitting in Committee of the Whole are indicated by underscoring the parts omitted and where insertions were made by the Congress they are, for the most part, written on the margin, in a different hand from the body of the text, and, as will be subsequently seen, after the copy had been received by Lee.

The document was originally folded in four for convenience of transmittal and of filing, and at the top of the outside fold of the last sheet is written the following endorsement :

“Declaration of Independence as reported to Congress, July 1777” [*sic*].

At the bottom of the fourth and last page is written :

“The endorsement is in the handwriting of R. H. Lee, the alterations in that of Arthur Lee.”

Jefferson’s letter transmitting this manuscript copy of the Declaration to Richard Henry Lee, is as follows :

“TO RICHARD HENRY LEE :¹

“PHILADELPHIA, July 8th, 1776.

“*Dear Sir* :—For news, I refer you to your brother,² who writes on that head. I enclose a copy of the Declaration of Independ-

¹ From Lee’s *Life of R. H. Lee*, Vol. i, p. 275.

² Presumably Francis Lightfoot Lee, who was also a delegate from Virginia to the Congress and one of the Signers of the Declaration.

ence, as agreed to by the House, and also as originally framed. You will judge whether it is better or worse for the critics. I shall return to Virginia after the 11th of August. I wish my successor may be certain to come before that time: in that case, I shall hope to see you, and not Wythe, in convention, that the business of government, which is of everlasting concern, may receive your aid. Adieu, and believe me to be your friend and servant."

Jefferson evidently thought that the critics had not improved the document and so Lee understood him; for in his reply,¹ he says:

"CHANTILLY, 21 July, 1776.

"*Dear Sir:*

"I thank you much for your favor and its inclosures by this post, and I wish sincerely, as well for the honor of Congress, as for that of the States, that the manuscript had not been mangled as it is. It is wonderful, and passing pitiful, that the rage of change should be so unhappily applied. However, the *Thing* is in its nature so good that no Cookery can spoil the Dish for the palates of Freemen.

* * * * * * * *

"It will always make me happy to hear from you because I am sincerely your affectionate friend,

"RICHARD HENRY LEE."

R. H. Lee, Jr., in his *Life* of his grandfather (p. 175) says of the copy thus enclosed, "The original was carefully preserved by Mr. Lee, not only for the interest he felt in its history, but for the great respect and warm friendship he felt for Mr. Jefferson. It has been as carefully preserved by his family, and finally committed to the author."

In this connection it should be recalled that the Virginia Convention, which convened at Williamsburg on the 6th of May, 1776, unanimously adopted on the 15th of the same month a preamble and resolutions, which were prepared by Pendleton, offered by Thomas Nelson, Jr., and powerfully advocated by Patrick Henry, to whom R. H. Lee wrote from Philadelphia on April 20th, exhorting him to propose in the Convention a separation from the mother country: "Ages yet unborn and millions existing at present," Lee wrote, "may rue or bless that assembly on which

¹*Jefferson's MS. Papers*, 2d series, Vol. 51, 12, Library of Department of State, Washington.

their happiness or misery will so eminently depend.”¹ The preamble enumerated in strong terms the wrongs done to the United Colonies; the King’s proclamation declaring them to be out of the protection of the Crown; and that there was no alternative but abject submission or a total separation. The first resolution was as follows:

“That the delegates appointed to represent this colony in the General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent States, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain, and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a confederation of the colonies, at such time and in the manner as to them shall seem best; *Provided*, the power of forming government for, and the regulations of the internal concerns of each colony, be left to the respective colonial legislatures.”²

Richard Henry Lee, by appointment of the delegates from Virginia and in accordance with the instructions conveyed in this resolution, moved in the Congress on June 7, 1776:

“That these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be totally dissolved.”

The resolution was seconded by John Adams, and was debated from the 7th to the 10th of June, Lee strenuously urging every argument in support of his motion. The Congress finally on the 10th of June ordered the further consideration of the resolution of independence to be postponed to the first day of July and “in the meanwhile, that no time be lost, in case the Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said first resolution.”

On the evening of that day, the 10th, Lee received by express intelligence of the dangerous illness of his wife at her home in Virginia. He immediately asked for leave of absence and left Philadelphia on the 11th, before the Committee was elected to draught

¹ *The Virginia Convention of 1776*, by Hugh Blair Grigsby, Richmond, 1855, p. 8.

² *Ibid.*, p. 17.

a declaration of independence. Lee's absence, which was of necessity to be of uncertain duration, precluded his being selected to serve on this Committee, in accordance with parliamentary practice, and as the resolution was offered under instructions from the Virginia colony, another of its representatives, Thomas Jefferson, was selected to head the Committee, with, as the other members, John Adams, the seconder of the resolution in the Congress, Franklin, Sherman and R. R. Livingston, the last representing those who thought that the time had not yet arrived for such an extreme measure.¹

The Committee unanimously requested Jefferson to prepare the draught, but before reporting it to the Committee he communicated it separately to Dr. Franklin and Mr. Adams, because he says² "they were the two members whose judgments and amendments I wished most to have the benefit before presenting it to the Committee. . . . Their alterations were two or three only, and mostly verbal. I then wrote a fair copy, reported it to the Committee, and from them unaltered, to Congress."

Jefferson reported the draught to the Congress on Friday, June 28, when it was read and ordered to lie on the table. On July 1, the Congress resolved itself into a Committee of the Whole and resumed the consideration of the original motion of Lee "respecting independency," which, after being debated through the day, was carried and was reported to the House and further consideration postponed to July 2, when it was adopted. The Congress, sitting in Committee of the Whole, then proceeded to the consideration of the Declaration reported by Jefferson, which had been referred to it on July 1, and examined, debated and amended it during the 2d, 3d and 4th of July.

Jefferson, in his *Autobiography*, says:³ "The pusillanimous idea that we had friends in England worth keeping terms with still haunted the minds of many. For this reason, those passages which conveyed censures on the people of England were struck out, lest they should give them offense. The clause, too, reprobating the enslaving the inhabitants of Africa was struck out in complaisance

¹ See E. Rutledge to John Jay, June 8, 1776, *Jefferson's Autobiography*, Ford's *Jefferson*, Vol. i, p. 19.

² Jefferson to J. Madison, August 30, 1823, Ford's *Jefferson*, i, p. 26. On this point see also *Autobiography of John Adams*, quoted by Ford, *ibid*, i, 24.

³ Randolph's *Jefferson*, Vol. i, p. 15.

to South Carolina and Georgia, who had never attempted to restrain the importation of slaves, and who, on the contrary, still wished to continue it. Our Northern brethren also, I believe, felt a little tender under these censures, for though their people had very few slaves themselves, yet they had been pretty considerable carriers of them to others.”

In the afternoon of the fourth the debate was closed and the Declaration as agreed to in the Committee of the Whole was reported by Mr. Harrison as Chairman of the Committee of the Whole and was adopted by the House.¹

With the view of ascertaining more definitely the historic relation of the copy in the possession of this Society to the original draught, Mr. John Vaughan, the Librarian of the Society, upon the receipt of the document from Mr. Lee, wrote to Mr. Jefferson, asking him concerning this point, and received the following reply:²

“TO JOHN VAUGHAN, ESQ.

“MONTICELLO, September 16, 1825.

“*Dear Sir* :—I am not able to give you any particular account of the paper handed you by Mr. Lee, as being either the original or a copy of the Declaration of Independence, sent by myself to his grandfather. The draught, when completed by myself, with a few verbal amendments by Dr. Franklin and Mr. Adams, two members of the Committee, in their own handwriting, is now in my own possession, and a fair copy of this was reported to the Committee, passed by them without amendment, and then reported to Congress. This latter should be among the records of the old Congress; and whether this or the one from which it was copied and now in my hands, is to be called the original is a question of definition. To that in my hands, if worth preserving, my relations with our University gives irresistible claims.

“Whenever in the course of the composition, a copy became overcharged, and difficult to be read with amendments, I copied it fair, and when that also was crowded with other amendments, another fair copy was made, etc. These rough draughts I sent to

¹ For a full review of the circumstances leading up to the Declaration and its adoption and signing, see Frothingham's *Rise of the Republic of the United States*, Boston, 1872.

² *The Writings of Thomas Jefferson*, edited by H. A. Washington, Vol. vii, New York, 1854, pp. 409, 410.

distant friends who were anxious to know what was passing. But how many, and to whom, I do not recollect. One sent to Mazzei was given by him to the Countess De Tessie (aunt of Madame de Lafayette) *as the original*, and is probably now in the hands of her family. Whether the paper sent to R. H. Lee was one of these, or whether, after the passage of the instrument, I made a copy for him, with the amendments of Congress, may, I think, be known from the face of the paper. The documents Mr. Lee has given you must be of great value and until all these private hoards are made public, the real history of the revolution will not be known."

On April 24, 1840, in response to Mr. Vaughan's request Richard Henry Lee sent him the following statement :

"The Draught of the Declaration of Independence in the Athenæum [American Philosophical Society]¹ in Philadelphia, in the handwriting of Mr. Jefferson, came into my possession, together with the MSS. of Richard Henry Lee from Francis L. Lee, one of the sons of R. H. Lee ; and was presented by me to the Athenæum [American Philosophical Society] in Pha.

"The history of this Document, given to me by my father and his brother, as given them by their Father, R. H. Lee derived from Mr. Jefferson, is this, that after alterations had been made in the Committee of the first draught drawn by Mr. Jefferson, *he drew two Draughts, one to be reported to Congress; and the other for Richard H. Lee*, which he sent to him enclosed in a letter dated (I think) on the *8th July 1774* [*sic*]. This letter and the draught were carefully kept by R. H. Lee and after his death were as carefully preserved by his sons. Copies of the letter were taken ; but the original had been lost, before the MSS. of R. H. Lee came into my hands. The copy which I presented to the Athenæum [American Philosophical Society] with the Draught, was declared to me by the sons of R. H. Lee, to be an exact copy. The Draught being drawn by Mr. Jefferson himself, before the report had been made to Congress, is as much *an Original*, as any other in existence. The interlineations on the Draught were written by Arthur Lee.

"RICHARD HENRY LEE,

"A.D. 1840. Grandson and Biographer of R. H. Lee."

¹ Mr. Lee seems to have confused the American Philosophical Society with the Athenæum, which was a tenant in the building of the former at the time of Mr. Lee's visit to Philadelphia.

A careful study of the Lee manuscript copy in the possession of this Society clearly shows it to be the wording of the draught as reported by the Committee of five to the Congress. There is nothing to indicate whether it was a copy made by Jefferson at the same time that he made the fair copy to be reported to the Congress or later but prior to the writing of his letter of transmittal to Lee on July 8. Nor is there anything to prove whether the underscoring of the parts stricken out by the Congress was done by Jefferson or by some other hand at a later date, although Jefferson seems to have underscored these parts in all the fair copies he subsequently made of which we have knowledge.

Under the circumstances it was natural that Jefferson should send to Lee a copy of the Declaration so soon as it was agreed upon, and it seems therefore probable that when writing a fair copy to report to the Congress, and not anticipating any material alteration of it, he should, also, so as to lose no time, make another copy to send to Lee. As the Congress was sitting in secret session the necessity of maintaining all the safeguards of secrecy as to its pending deliberations prevented his forwarding this copy until after the adoption and promulgation of the Declaration. Then on the 8th of July, when he could, with propriety, send it, he found it necessary, because of the unexpected changes made by the Congress, to enclose also a copy of the text as finally adopted.¹

Richard Henry Lee, Jr., in *The Life and Correspondence* of his grandfather, says (p. 175), that Jefferson in his letter of July 8, 1776, enclosed a copy of the Declaration as "drawn in the Committee and also a copy of the Declaration as adopted by Congress." This statement, taken in connection with the fact that the marginal notes of the changes by the Congress in this Society's copy were not made by Jefferson, but are in the handwriting of Arthur Lee, who was not in this country at any time during the year 1776, is in entire accord with that made by Jefferson in his letter of transmittal, in which he says, "I enclose a copy of the Declaration of Inde-

¹I have been unable to ascertain whether the copy of the text as adopted by the Congress was among the Lee papers presented to the University of Virginia, and if so, whether it was saved from the fire which destroyed its Library building in October, 1895. The Lee papers were contained in a trunk which, at the time of the fire, was thrown out of an upper window and broken by the fall. The papers were gathered up into a bundle and it is hoped none were lost, but until the new Library building is completed they cannot be examined.

pendence as agreed to by the House, and also as originally framed ” and with Lee’s reply thanking him for the “inclosures.”

If this manuscript copy had been made after the 4th of July it seems most likely that Jefferson would have copied the document as finally adopted by the Congress on that date, or at least would have indicated on the margin all the changes that had been made by the Congress. It also seems probable that the copy of the text as adopted by the Congress, enclosed by Jefferson for purpose of comparison, was a printed copy, as the document was by order of Congress¹ immediately put in print, and on the 5th the President transmitted copies, probably in the form of a broadside, to several assemblies,² and it appeared in *The Pennsylvania Evening Post*, for Saturday, July 6, 1776 (Vol. ii, No. 228); had it been another manuscript copy it would have been preserved by Lee with the same care as he gave to the one now in the possession of this Society. The accompanying copy could not have been the copy in the Emmet Collection now in the Lenox Library, hereafter to be referred to, which is said, also, to have belonged to “the Lee family,” since that, too, is a copy of the draught as presented by the Committee and not as adopted by the Congress.

The marginal notes showing the additions to the text made by the Congress are evidently written by a different hand from the one that wrote the draught, and according to the endorsement, they were written by Arthur Lee. The handwriting appears to be his and I see no reason to doubt the correctness of the statement. Arthur Lee was in Europe, and had been there for some years, when the Declaration was adopted and did not return until September, 1780.³ From which it would seem certain that at a date subsequent to this he and R. H. Lee compared the draught written by Jefferson with the document as passed by the Congress and marked the omissions and wrote on the margins the additions.

It is probable that the endorsement on the document was made some years after it was received, which may account for the erroneous date on it of “1777,” which error would not be likely to have been made had it been written when received in 1776.

¹ “*Resolved*, That copies of the Declaration be sent to the several assemblies, conventions and committees or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, and at the head of the army.”

² Frothingham, *loc. cit.*, p. 544.

³ See *Life of Arthur Lee*, by R. H. Lee, Vol. i, p. 164.

The conclusions I had reached concerning the draught belonging to this Society were subsequently confirmed by the following letter, written in the autumn of 1841, from John Vaughan to the Prince de Joinville, a copy of which I have recently found among the Society's unarranged manuscripts.

NOTE RELATIVE TO THE ORIGINAL DRAUGHT OF THE DECLARATION OF INDEPENDENCE OF THE UNITED STATES OF AMERICA, IN THE HANDWRITING OF THOMAS JEFFERSON AND NOW IN POSSESSION OF THE AMERICAN PHILOSOPHICAL SOCIETY AT PHILADELPHIA.

On the 7th day of June 1776 Richard Henry Lee moved in the American Congress "*That America should declare itself Independent of Great Britain;*" this motion was seconded by John Adams. The consideration of this motion was referred to 10th June. On that day Rich. Henry Lee received an account that his Wife was dangerously ill, obtained leave of absence from Congress and went home. On the 10th June, Congress proceeded to the Order of the day, and after some debate, postponed the further consideration of the question to the 1st July; but in order to save time, appointed a Committee to prepare a form of Declaration, to be ready for adoption, if then determined upon. The Committee named consisted of Mess. T. Jefferson, J. Adams, B. Franklin, Sherman & R. R. Livingston. Mr. Jefferson having been appointed Chairman of the above named Committee, it was assigned to him to prepare a Draught of the Declaration, (*the three first named were the most active members.*) The Draught was submitted to the Committee who suggested alterations. Amongst Mr. Jefferson's papers after his death there was found the Copy with the final corrections of his Associates from which a copy has been lithographed and appended to the Memoirs of Jefferson by his Grandson Thomas Randolph and a copy of this is preserved by the A. P. S. in a frame. *From this rough corrected Draught* Thomas Jefferson made Two fair Copies one to be submitted to Congress, as the report of the Committee, and one for Richard Henry Lee, the mover of Declaration, who did not return previous to the 1st July. The fair original Copy intended for Congress was reported to that body by Benjamin Harrison (father of the late President Harrison to whom it had been entrusted) on 1st July. Considerable alterations were made previous to its adoption which took place on 4th July. On

the 8th July Mr. Jefferson wrote to Mr. Lee as follows. "*I enclose you a copy of the Declaration of Independence as agreed to by the House and also as originally framed.*" This was the Second copy which he had made for Mr. Lee. Mr. Jefferson added "*You will judge whether it is better or worse for the Critics.*" On the suggestion of Mr. Jefferson the Comparison was made by Richard Henry Lee and his Brother Arthur Lee, who drew a black line upon the *original draught proposed by the Committee* under every part rejected by Congress; and in the margin opposite placed the word *out*. This document thus marked is the one possessed by the Am. Philosophical Society.

Sometime after the death of Richard Henry Lee his Grandson, of the same name, wrote the memoirs of his Grandfather, having obtained from his Father and Uncle all the papers and correspondence of his Grandfather with the Eminent Patriots of that day. These memoirs were published in Philadelphia by the Grandson in 1825 with whom I was on terms of intimacy. Whilst publishing he was requested to favour the Am. Philos. Society with the original papers and Documents as soon as he had made use of them. The request was granted and on the 17th June 1825 they were put in possession of the correspondence which is bound up in two Volumes, and on the 19th of August 1825 R. H. L. sent them the original form proposed by the Committee, in the handwriting of Mr. Jefferson, and with the marks thereon made by the two Lees above alluded to. When received it was duly recorded by the Society and Mr. Wm. Short & Mr. Edward Coles who were intimate Friends of Mr. Jefferson and the undersigned (who had been his Correspondent for more than 40 years) Certified on the book of records, that this Document was of the handwriting of Mr. Jefferson; and Mr. George Washington Smith, to whom the delivery was entrusted, certified that he received the whole from Richard Henry Lee the Grandson, with directions to deliver them to the A. P. Society and that he delivered them to the undersigned for the Society.

A copy of this proposed Declaration was published by the Grandson in the memoirs of his Grandfather *the parts left out by Congress being printed in Italics*; several Editions of this *Italicised Copy* of 1825 were published between that year and 1829, when it was republished and Lithographed in similar form in the memoirs of Thomas Jefferson which was first published in that year.

This original draught of the declaration is framed between strong glass Plates so as to be perfectly viewed and examined by those who feel an interest in it. The other Original sent to Congress, cannot be found. The form of Declaration finally adopted, & signed by the Members of Congress exists at Washington in the Department of State, but the *originally proposed form has not been found*, from which circumstance the Document in possession of the Society has with propriety become the sole ORIGINAL DRAUGHT.

France having largely contributed to the obtaining this Independence, the undersigned (in whose charge this document now is) has been led to think that a correct account of it, and the mode by which it was obtained, would be received with some interest by his Royal Highness the Prince de Joinville, who has now an opportunity of examining it. Under this impression this account has been drawn up by

JN. VAUGHAN (aged 85)
Librarian of the Am. Phil. Society.

A letter identical with that to the Prince de Joinville, but with the last paragraph omitted, was also sent by Mr. Vaughan to Mr. J. K. Tefft, of Savannah, on October 5, 1841, and is now preserved in the Emmet collection in the Lenox Library in New York,¹ and previously, on March 27, 1841, he sent a letter of similar purport to Mr. George Combe, of Edinburgh,² in which he answers the charge of the *Edinburgh Review* (No. 141, p. 134, 1839) that he had hoaxed Captain Marryatt.

Captain Marryatt, in his *Diary in America*, page 43, Vol. iii, says, "Mr. Vaughan stated to me that he had found the *original draft* of the Declaration of Independence in the handwriting of Mr. Jefferson," and the *Edinburgh Review*, commenting thereon, states that if Captain Marryatt "had ever read that very interesting book (*Memoirs of Jefferson*, Vol. i, p. 17) he would have been aware how grossly a Mr. Vaughan, of Philadelphia, was *hoaxing* him when he talked of having discovered the original draught of the Declaration of Independence." Mr. Combe in his *Notes on the United States* (p. 330) says that "on my second visit to Philadelphia, in March, 1840, Mr. Vaughan enabled me to peruse original

¹ For a copy of this letter I am indebted to the courtesy of Mr. Wilberforce Eames, Librarian of the Lenox Library.

² Copy in the Society's collection of MSS.

letters, giving its history from the day it was composed to that on which it was presented to the American Philosophical Society. . . . Mr. Vaughan exhibited also a letter dated a few weeks before my visit from the son of Richard Henry Lee to himself, expressing his astonishment at the reviewer's remarks."

The letter of R. H. Lee, Jr., above referred to, is preserved in this Society's Manuscript Collections. It is dated, Washington, February 25, 1840, and is in reply to a letter from Mr. Vaughan of January 31, a copy of which is in the Dreer Collection of Autographs in the library of the Historical Society of Pennsylvania. In the course of the letter Mr. Lee says, "The Edinburgh Reviewer was *rather too* learned in our Antiquities. There was no hoax by you, on Marryatt. The paper you shewed him may be called with strict truth *an original Draught*. It is more so than that at Washington. It was written verbatim after the first rough Draft *of the Author*, by the Author himself. It is as much, therefore, *an original* Draught as it well can be, inasmuch as the priority in time as to the first *composed* paper is a matter of no account where the *same author writes at the same* time and occasion the two draughts. Neither are *copies*."

The following copies of the Declaration of Independence in Jefferson's handwriting are known to exist:

1. The original rough draught showing changes made in Committee of five and also by parentheses and interlineations most of the changes made by the Congress in Committee of the Whole. This appears to have been the last draught made by Jefferson in its course through Committee, and from it he wrote the fair draught to present to the Congress as the report of the Committee and also the copy to send to Richard Henry Lee (2). He apparently used this same draught in Committee of the Whole and noted on it the changes as they were made by the Congress. This draught was first reproduced in *facsimile* in Randolph's *Jefferson*. It was acquired by the Government with the Jefferson papers and is now in the Library of the Department of State.

2. A copy of the draught reported by the Committee of five to the Congress and agreeing closely with the text of the preceding draught. This is one of two copies presumably made on or about the 27th of June, 1776; one was presented to the Congress as the report of the Committee of five and is believed not to have been preserved; the other is the copy in the possession of this Society, and was sent

by Jefferson to Richard Henry Lee on July 8th following, and presented in 1825, by his grandson, of the same name, to the American Philosophical Society, in whose library it is preserved.

3. A copy from the rough draught of the Committee of five, made in 1783 for James Madison and reproduced in *fac-simile* in *The Madison Papers*, Vol. iii., Washington, 1840. Also in the Library of the Department of State.

4. Another copy from the rough draught of the Committee of five, slightly different in wording, inserted by Jefferson in the manuscript copy of his *Autobiography*. This is written on contemporaneous paper and was a copy probably made by Jefferson not long after the adoption of the Declaration. Also in the Library of the Department of State.

5. A copy in the Emmet collection in the Lenox Library, New York. "This is one of several fair copies made by Jefferson from the original rough draught of the Declaration, after its adoption and publication, in which he gave the wording of the text as reported by the Committee, with the portions underlined that were changed or rejected by Congress. After remaining in the possession of the Lee family of Virginia for many years, with other papers of Jefferson, . . . was sold by the late Mr. Cassius F. Lee, of Alexandria, to Mr. Elliot Danforth, of New York, from whom Dr. Emmet obtained it."¹

I have not been able to learn the circumstances under which this copy came into the possession of the Lee family. Dr. Emmet writes me that the only information he "can give is that Mr. Lee stated to me that it was one of the copies Jefferson sent his grandfather, and that it had been sent to some one in lower Virginia by Richard Henry Lee shortly after, and that it was not recovered for many years after."²

This copy is without interlineation and does not contain the additions made by the Congress. It is, with some slight exceptions, the text of the document as reported to the Congress.

¹ *Bulletin of the New York Public Library*, 1897, p. 355.

² Personal communication, April 16, 1898. It does not seem likely that Jefferson should have sent two similar autographic copies of the Declaration to Richard Henry Lee, and as the history of the copy possessed by this Society is clear and indisputable, it is probable that the Emmet copy came from another source, and Mr. Paul L. Ford, the learned student of Jefferson's works, informs me that he is inclined to believe that it is the copy sent to John Page.

6. A fragment of a copy in the possession of Mrs. Washburn, of Boston.

In addition to these five copies and a fragment of a sixth, Jefferson made, according to Ford,¹ between the 4th and 10th of July, other copies, which he sent to George Wythe,² John Page, Edmund Pendleton and Philip Mazzei, who gave his copy, so Jefferson states in his letter to Vaughan, to the Countess de Tessé, of France, but it is not known if these copies are still in existence.

The copy of the draught of the Declaration presented, as its report, by the Committee of five of which Jefferson was Chairman, to the Congress cannot be found and is believed not to have been preserved.³ It was probably read in the Congress and passed into the hands of the Secretary, who used it in writing in the amendments as they were adopted during consideration of the document in the Committee of the Whole and, upon its adoption by the House, at once sent it to the printer as copy and it was subsequently destroyed.

If these conclusions and the statement previously referred to of R. H. Lee, the elder, to his son, be correct, the historic value of the draught possessed by this Society lies in the fact, apart from its being an autographic copy by Jefferson, that it is one of the two fair copies made at the same time by Jefferson, one to report to the Congress, the other to send to Lee. As the copy presented to the Congress has been lost, the copy sent to Lee, and now belonging to this Society, must be regarded as the authoritative text of the Declaration of Independence as drawn by the Committee of five and reported to the Congress.

¹ *Writings of Jefferson*, ii, p. 42, Note.

² This copy was delivered to Mr. Thomas Ritchie, editor of the *Richmond Enquirer*, by Major Duval, the executor of Mr. Wythe's estate, and its text was printed in Niles's *Weekly Register*, July 3, 1813 (Vol. iv, No. 13). Notwithstanding inquiry among Mr. Ritchie's descendants I have not been able to learn whether it is still in existence.

³ In the "Rough Journal" of Congress kept by the Secretary, Charles Thomson, appears the entry under July 4, "The Declaration being again read was agreed to as follows." Here the printed Declaration, a broadside with the imprint: "Philadelphia: Printed by John Dunlap," is attached by wafers. In the fair copy of the "Rough Journal" the Declaration is written out at length in the same handwriting as the rest of the Journal. See Chamberlain, "The Signing of the Declaration," *Proceedings of Massachusetts Historical Society*, 2d Series, Vol. 1, p. 286.

The text of the draught possessed by this Society and a *fac-simile* of it are appended:¹

[A Declaration by the Representatives of the UNITED STATES OF AMERICA in General Congress assembled.] *In Congress, July 4, 1776, The Unanimous Declaration of the thirteen United States of America.*

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with [inherent and inalienable] *certain unalienable* rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate that governments long established should not be changed for light & transient causes, and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, [begun at a distinguished period &] pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, & to provide new guards for their future security. Such has been the patient sufferance of these colonies, & such is now the necessity which constrains them to [expunge] *alter* their former systems of government. The history of the present king of Great Britain is a history of [unremitting] *repeated* injuries and usurpations, [among which appears

¹The text is printed in Roman characters. In order to show the changes made by the Congress the parts stricken-out by the Congress are enclosed in [brackets], and the parts inserted by the Congress are printed in *Italics*.

no solitary fact to contradict the uniform tenor of the rest ; but] all [have] *having* in direct object the establishment of an absolute tyranny over these states. To prove this let facts be submitted to a candid world, [for the truth of which we pledge a faith yet unsullied by falsehood].

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate & pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has [neglected utterly] *utterly neglected* to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature ; a right inestimable to them, & formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, & distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative houses repeatedly [& continually], for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time after such dissolutions to cause others to be elected whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the meantime exposed to all the dangers of invasion from without, & convulsions within.

He has endeavored to prevent the population of these states ; for that purpose obstructing the laws for naturalization of foreigners ; refusing to pass others to encourage their migrations hither ; & raising the conditions of new appropriations of lands.

He has [suffered the administration of justice totally to cease in some of these states] *obstructed the administration of justice* by refusing his assent to laws for establishing judiciary powers.

He has made [our] judges dependant on his will alone, for the tenure of their offices, and the amount & payment of their salaries.

He has erected a multitude of new offices [by a self-assumed power] & sent hither swarms of officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies [and ships of war,] without the consent of our legislatures.

He has affected to render the military independant of, & superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution[s] and unacknowledged by our laws ; giving his assent to their acts of pretended legislation

for quartering large bodies of armed troops among us ;

for protecting them by a mock-trial from punishment for any murders which they should commit on the inhabitants of these States ;

for cutting off our trade with all parts of the world ;

for imposing taxes on us without our consent ;

for depriving us *in many cases* of the benefits of trial by jury ;

for transporting us beyond seas to be tried for pretended offences ;

for abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example & fit instrument for introducing the same absolute rule into these [States] Colonies ;

for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments ;

for suspending our own legislatures, & declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, [withdrawing his governors, &] *by* declaring us out of his [allegiance and] protection, *and waging war against us.*

He has plundered our seas, ravaged our coasts, burnt our towns, & destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries, to compleat the works of death, desolation & tyranny, already begun with circumstances of cruelty and perfidy *scarcely paralleled in the most barbarous ages and totally* unworthy the head of a civilized nation.

He has *excited domestic insurrections among us, and has* endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions [of existence].

[He has incited treasonable insurrections of our fellow citizens with the allurements of forfeiture & confiscation of our property.]

He has constrained [others] *our fellow citizens* taken captive[s] on the high seas, to bear arms against their country, to become the

executioners of their friends and brethren, or to fall themselves by their hands.

[He has waged cruel war against human nature itself, violating its most sacred rights of life & liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel¹ powers, is the warfare of the Christian¹ king of Great Britain. Determined to keep open a market where MEN should be bought & sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce : and that this assemblage of horrors might want no fact of distinguished die, he¹ is now exciting those very people to rise in arms among us, and to purchase that liberty of which he¹ has deprived them, by murdering the people upon whom he¹ also obtruded them : thus paying off former crimes committed against the liberties¹ of one people, with crimes which he urges them to commit against the lives¹ of another,]

In every stage of these oppressions, we have petitioned for redress in the most humble terms ; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a *free* people [who mean to be free. Future ages will scarce believe that the hardness of one man adventured within the short compass of twelve years only, to build a foundation, so broad and undisguised, for tyranny over a people fostered and fixed in principles of freedom.]

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend [a] *an unwarrantable* jurisdiction over [these our states] *us*. We have reminded them of the circumstances of our emigration and settlement here, [no one of which could warrant so strange a pretension : that these were effected at the expence of our own blood and treasure, unassisted by the wealth or the strength of Great Britain : that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them : but that submission to their parliament was no part of our constitution, nor ever in idea, if history may be credited : and] we *have* appealed to their


¹ Underscored in original.

native justice & magnanimity, [as well as to] *and we have conjured them* by the ties of our common kindred, to disavow these usurpations, which [were likely to] *would inevitably* interrupt our connection & correspondence. They too have been deaf to the voice of justice, and of consanguinity; [and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have by their free election reestablished them in power. At this very time too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but [Scotch and] foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection; and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them, and to hold them as we hold the rest of mankind, enemies in war, in peace friends. We might have been a free & a great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too; we will climb it apart from them and] *we must therefore* acquiesce in the necessity which denounces our [eternal] separation [!] *and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.*

We therefore the Representatives of the United States of America in General Congress assembled, *appealing to the Supreme Judge of the world for the rectitude of our intentions* do, in the name, & by authority of the good people of these [states, reject and renounce all allegiance and subjection to the kings of Great Britain, and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connection which may heretofore have subsisted between us and the parliament or people of Great Britain, and finally we do assert these] Colonies, *solemnly publish and declare that these United Colonies are and of Right ought to be free and independant states; that they are Absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; & that as free & independant states, they have full power to levy war, conclude peace, contract alliances, establish commerce, & to do all other acts and things which independant states may of right do. And for the support of this declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.*







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